IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4610 of 1991

For Approval and Signature:

Hon'ble MR.JUSTICE D.A.MEHTA Sd/-

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

KIRITKUMAR MULDASJI DHDHREJIYA

Versus

STATE OF GUJARAT

Appearance:

NONE APPEARED for Petitioner

MR KT DAVE, AGP. for Respondent No. 1

RULE SERVED for Respondent No. 2, 3

CORAM : MR.JUSTICE D.A.MEHTA

Date of decision : 20/04/2001.

ORAL JUDGEMENT

1. The petitioner had applied for the post of Wireman which was vacant in the office of respondent no.3 and the petitioner was accordingly interviewed on 7/9/1987. On 15/9/1987 the respondent no.3 wrote to the respondent no.2 seeking sanction for appointment of the petitioner. It appears that in view of Government Resolution dated 7/7/1989 no sanction for appointment was

granted because of famine and it was further stipulated that till 31/3/1990 the select list prepared may be continued. The petitioner has filed the present petition seeking the following relief :

"11(A) Your Lordships may be pleased to issue an appropriate writ, order or direction directing the respondents and restraining them from giving appointment to any other candidates except to the petitioner on the post of Wireman as the petitioner is fully trained and qualified person and is selected by the competent authority."

2. At the time of hearing there is no appearance on behalf of the petitioner. Mr.K.T.Dave, learned Assistant Government Pleader appearing on behalf of the respondents has placed a communication dated 23/2/2001 which is taken on record, wherein it is stated that the select list had not been continued beyond 31/3/1990 and since then there has been no action for filling up the aforesaid post. It is further stated that since 1987 till date the said post has not been filed up and has been terminated.

3. In view of this situation the petition has become infructuous and is disposed of accordingly. Rule is discharged with no order as to costs.

Sd/-
(D.A.Mehta, J)

m.m.bhatt